

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- March 23, 1966

Appeal #8587 Julius Beiser, appellant

The Zoning Administrator District of Columbia, appellee

On motion duly made, seconded and unanimously carried, the following order was entered at a meeting of the Board on March 30, 1966.

ORDERED:

EFFECTIVE DATE: April 6, 1966

That the petition for a rehearing or in the alternative a request for reconsideration of the appeal for a variance from the minimum lot, width, and area requirements of the R-4 District to permit erection of 3 single-family dwellings at 746-748 - 9th Street, S.E., lots 810 and 811, square 950, be granted in part and denied in part.

From the records and the evidence adduced, the Board finds the following facts:

(1) The facts are essentially the same as existed at the time of the Board's Order effective March 4, 1966. The Board incorporates the facts from that Order.

(2) As additional facts, the Board finds that the average lot in this area has a width of 16 feet.

(3) The average lot in this area has a lot area of 1486 square feet.

(4) The Marine Barracks are located across the street from this property.

OPINION:

The petition for a rehearing is denied. However, accepting the request for reconsideration, the Board concludes that the granting of this appeal would not be detrimental to the surrounding area. Appellant's lots would be consistent with the existing lots in the area. Therefore, the Board concludes that this variance may be granted without doing violence to the Zoning Regulations and Map.

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- February 23, 1966

Appeal #8587 Julius Beiser, appellant

The Zoning Administrator District of Columbia, appellee

On motion duly made and seconded with Mr. Arthur Hatton and Mr. Arthur Davis dissenting, the following Order was entered at a meeting of the Board on March 4, 1966.

ORDERED:

EFFECTIVE DATE: March 4, 1966

That the appeal for a variance from the minimum lot, width and area requirements of the R-4 District to permit erection of 3 single-family dwellings at 746-748 - 9th Street, S.E., lots 810 and 811, square 950, be denied.

From the records and the evidence adduced at the public hearing, the Board finds the following facts:

(1) The dimensions of appellant's lots are 23.8 and 24.4 feet in width; 100.10½ feet in depth on lots 810 and 811 respectively. Lot 810 contains 2386 square feet of land. Lot 811 contains 2454 square feet of land.

(2) Appellant proposes to erect three single family dwellings with a 16 foot setback for each structure.

(3) Minimum lot dimensions for row dwellings in the R-4 District are 1800 square feet in lot area and 18 feet in width.

(4) The Capitol Hill Restoration Society and the Capitol Hill Southeast Citizens Association have expressed their support for the granting of this appeal.

(5) There was no opposition to the granting of this appeal expressed at the public hearing.

OPINION:

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The Board of the opinion that the appellant has failed to prove an exceptional and undue hardship inherent in the land to justify a variance from the Zoning Regulations. The Board thinks that a reasonable use can be of the property without a variance.